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DOCKET NO. : PU-0031

PATENT



JC971 U.S. PTO  
09/965967



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Yigong Shi

Serial No.:

Group Art Unit:

Filing Date: Herewith

Examiner:

For: COMPOSITIONS AND METHODS FOR REGULATING APOPTOSIS

EXPRESS MAIL LABEL NO: EL568089659US  
DATE OF DEPOSIT: September 28, 2001

EL568089659US

Box  Patent Application  
 Provisional  Design

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

**PATENT APPLICATION TRANSMITTAL LETTER**

Transmitted herewith for filing, please find

A Utility Patent Application under 37 C.F.R. 1.53(b).

It is a continuing application, as follows:

continuation  divisional  continuation-in-part of prior application number  
\_\_\_\_\_/\_\_\_\_\_.

A Provisional Patent Application under 37 C.F.R. 1.53(c).

A Design Patent Application (submitted in duplicate).

**Request for Nonpublication.** The invention(s) disclosed in the present application filed herewith has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing. Thus, pursuant to 35 U.S.C. §122(b)(2)(B)(i), Applicant(s) request that the above-identified patent application not be published.

Including the following:

- Provisional Application Cover Sheet.
- New or Revised Specification, including pages 1 to 48 containing:
- Specification
- Claims
- Abstract
- Substitute Specification, including Claims and Abstract.
- The present application is a continuation application of Application No. \_\_\_\_\_ filed \_\_\_\_\_. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Since none of those amendments incorporate new matter into the parent application, the present revised Specification also does not include new matter.
- The present application is a continuation application of Application No. \_\_\_\_\_ filed \_\_\_\_\_, which in turn is a continuation-in-part of Application No. \_\_\_\_\_ filed \_\_\_\_\_. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Although the amendments in the parent C-I-P application may have incorporated new matter, since those are the only revisions included in the present application, the present application includes no new matter in relation to the parent application.
- A copy of earlier application Serial No. \_\_\_\_\_ Filed \_\_\_\_\_, including Specification, Claims and Abstract (pages 1 - @@), to which no new matter has been added TOGETHER WITH a copy of the executed oath or declaration for such earlier application and all drawings and appendices. Such earlier application is hereby incorporated into the present application by reference.
- Please enter the following amendment to the Specification under the Cross-Reference to Related Applications section (or create such a section) : "This Application:  
 is a continuation of  is a divisional of  claims benefit of U.S. provisional Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_

- Signed Statement attached deleting inventor(s) named in the prior application.
- A Preliminary Amendment.
- Fourteen (14) Sheets of Formal Drawings and Color Photographs.
- Drawing view to publish: Figure \_\_\_\_\_.
- Petition to Accept Photographic Drawings.
- Petition Fee (\$130.00)
- An  Executed  Unexecuted Declaration or Oath and Power of Attorney.
- An Associate Power of Attorney.
- An  Executed  Copy of Executed Assignment of the Invention to \_\_\_\_\_
- A Recordation Form Cover Sheet.
- Recordation Fee - \$40.00.
- The prior application is assigned of record to \_\_\_\_\_
- Priority is claimed under 35 U.S.C. § 119 of Patent Application No. \_\_\_\_\_ filed \_\_\_\_\_ in \_\_\_\_\_ (country).
- A Certified Copy of each of the above applications for which priority is claimed:
- is enclosed.
- has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
- Please enter the following amendment to the first sentence of the specification (or create such a sentence): "This application claims benefit of international application No. \_\_\_\_\_, which was published under PCT Article 21(2) in English."
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 C.F.R. §1.27 as:

- an Independent Inventor
- a Small Business Concern
- a Nonprofit Organization.

- Diskette Containing DNA/Amino Acid Sequence Information.
- Statement to Support Submission of DNA/Amino Acid Sequence Information.
- Sequence listing consisting of pages \_\_\_\_\_.
- The computer readable form in this application \_\_\_\_\_, is identical with that filed in Application Serial Number \_\_\_\_\_, filed \_\_\_\_\_. In accordance with 37 CFR 1.821(e), please use the  first-filed,  last-filed or  only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is  included in the originally-filed specification of the instant application,  included in a separately filed preliminary amendment for incorporation into the specification.
- Information Disclosure Statement.
  - Attached Form 1449.
  - Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- A copy of Petition for Extension of Time as filed in the prior case.
- Appended Material as follows: \_\_\_\_\_.
- Return Receipt Postcard (should be specifically itemized).
- Other as follows: \_\_\_\_\_.

432519 2965360

**FEE CALCULATION:**

- Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

		SMALL ENTITY		NOT SMALL ENTITY	
		RATE	Fee	RATE	Fee
DESIGN APPLICATION		\$165.00	\$	\$330.00	\$
UTILITY APPLICATIONS BASE FEE		\$370.00	\$370.00	\$740.00	\$
UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS					
<input checked="" type="checkbox"/>	No. Filed	No. Extra			
TOTAL CLAIMS	32- 20 =	12	\$9 each	\$108.00	\$18 each
INDEP. CLAIMS	6- 3 =	3	\$42 each	\$126.00	\$84 each
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		\$140	\$0	\$280	\$
ADDITIONAL FILING FEE		<input checked="" type="checkbox"/>	\$	<input checked="" type="checkbox"/>	\$
TOTAL FILING FEE DUE			\$604.00		

- A Check is enclosed in the amount of \$734.00 (filing fee and petition fee).
- The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- The foregoing amount due.
  - Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
  - Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

13260-29559551

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: September 28, 2001

Janet E. Reed  
Janet E. Reed  
Registration No. 36,252

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Philadelphia PA 19103  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In Re Application of:****Yigong Shi****Serial No.: Not Yet Assigned****Group Art Unit: Not Yet Assigned****Filing Date: Herewith****Examiner: Not Yet Assigned****For: COMPOSITIONS AND METHODS FOR REGULATING APOPTOSIS****EXPRESS MAIL LABEL NO: EL568089659US****DATE OF DEPOSIT: September 28, 2001**

Assistant Commissioner for Patents  
Washington DC 20231

**PETITION TO ACCEPT COLOR DRAWING(S)/PHOTOGRAPH(S)  
(37 C.F.R. 1.84 (a) and(b))**

1. Petition is hereby made to accept drawing(s)/photograph(s) in this case.
2. Three (3) sets of color and one (1) black and white photocopy of the color set of drawing(s)/photograph(s)  
 are submitted herewith.  
 have already been submitted in this application on
3. The reason(s) why color drawing(s)/photograph(s) is/are necessary in this case is/are as follows: They are the only practical medium for illustrating the claimed invention.
4. The first paragraph of the Brief Description of the Drawings has been amended to read as follows:

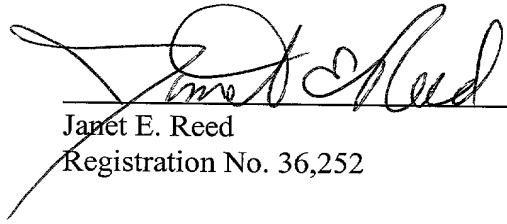
-- The file of this patent contains at least one drawing/photograph executed in color. Copies of this patent with color drawing(s)/photograph(s) will be provided by the Office upon request and payment of the necessary fee.--
5. The enclosed color drawing(s) photograph(s) each bear the Title, Inventor Name(s), Application No., Docket No. and Attorney Name: Janet E. Reed, Ph.D. Telephone No. 215-568-3100 of the application on the front of the respective document.

6. The petition fee (37 C.F.R. 1.17(h)) is paid as follows:

- A check in the amount of \$130.00 is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. A duplicate of this Petition is attached.
- Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$130.00.

Date:

9/28/01

  
Janet E. Reed  
Registration No. 36,252

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